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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/671,310	09/25/2003	Takayuki Yajima	848075/0057	8023
29619	7590	02/03/2006	EXAMINER	
SCHULTE ROTH & ZABEL LLP			ZEWDU, MELESS NMN	
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919 THIRD AVENUE				
NEW YORK, NY 10022			2683	

DATE MAILED: 02/03/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	10/671,310	YAJIMA, TAKAYUKI	
	Examiner Meless N. Zewdu	Art Unit 2683	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1) Responsive to communication(s) filed on 25 November 2005.
 2a) This action is FINAL. 2b) This action is non-final.
 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4) Claim(s) 1-18 is/are pending in the application.
 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
 5) Claim(s) _____ is/are allowed.
 6) Claim(s) 1-18 is/are rejected.
 7) Claim(s) _____ is/are objected to.
 8) Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9) The specification is objected to by the Examiner.
 10) The drawing(s) filed on _____ is/are: a) accepted or b) objected to by the Examiner.
 Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
 Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 a) All b) Some * c) None of:
 1. Certified copies of the priority documents have been received.
 2. Certified copies of the priority documents have been received in Application No. _____.
 3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) <input type="checkbox"/> Notice of References Cited (PTO-892)	4) <input type="checkbox"/> Interview Summary (PTO-413)
2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)	Paper No(s)/Mail Date. _____ .
3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date _____ .	5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)
	6) <input type="checkbox"/> Other: _____ .

C
DETAILED ACTION
Response to Amendment

1. This action is in response to the communication filed on 11/25/05.
2. Claims 15-18 have been added in the instant amendment.
3. Claims 1-18 are pending in this action.
4. The title of the disclosure submitted with the current amendment has been approved by examiner.
5. This action is final.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

Claims 1, 2, 4, 5, 7, 8, 11, 12 and 15-17 are rejected under 35 U.S.C. 102(e) as being anticipated by Toba (US 6,907,276 B2). For examination purposes, claim 11 is considered first.

As per claim 11: Toba discloses a method of displaying an input screen of a display unit of a portable terminal having housings open-ably and close-ably connected together (see figs. 1 and 2; col. 6, lines 48-58), comprising the steps of:

selecting an item to be displayed on said display unit while said portable terminal is in a closed state (see col. 6, line 59-col. 7, line 2; col. 7, line 58-col. 8, line 6; col. 12, lines 23-56; col. 19, lines 5-53;). Scrolling (see col. 12, lines 49-56) is a means of selecting an item to be displayed.

changing a non-input (external) screen of said display unit having an item selected thereon to an input screen corresponding to said selected item when either of said housings is opened from said closed state (see 8, lines 37-49).

As per claim 12: Toba discloses a method, wherein said non-input (external) screen has a guide view informing a user to open either of said housings from said closed state (see fig. 2, element 11; col. 7, line 67-col. 8, line 6).

As per claim 1: Toba discloses a portable terminal having an open state and a closed state (see figs. 1 and 2; col. 6, lines 48-58), said portable terminal comprising:

a first housing having at least a display unit with a screen (see fig. 1, elements 3 and 5; col. 6, line 59-col. 7, line 2);

a second housing having at least an input unit (see fig. 1, elements 4 and 8; col. 6, line 59-col. 7, line 2);

a detecting means for detecting opening of either of said housings (see fig. 1, element 6; col. 6, line 59-col. 7, line 2; col. 4, lines 39-65); and

a control means for controlling said screen of said display unit (see col. 3, lines 38-53; col. 7, line 58-col. 8, line 6; col. 8, lines 28-49);

wherein said first housing is open-ably and close-ably connected to said second housing (see figs. 1 and 2; col. 6, lines 48-58), wherein said display unit is visible to a user in at least said closed state of said portable terminal (see fig. 2, element 11; col. 6, line 59-col. 7, line 2), and wherein, when said detecting means detects opening of either of said housings, said control means changes said screen of said display unit to an input screen (main display) (see col. 6, line 47-col. 7, line 2; col. 7, line 58-col. 8, line 6; col. 8, lines 27-49).

As per claim 2: Toba discloses a portable terminal, further comprising:

a selecting unit (fig. 3, element 21) for selecting an item displayed on said display unit (see col. 12, lines 45-56) (wherein scrolling indicates selection); wherein when said detecting means detects opening of either of said housings, said control device changes said screen with an item selected by said selecting unit to an input screen corresponding to said item (see col. Col. 3, lines 38-53; col. 8, line 27-49).

As per claim 4: Toba discloses a portable terminal, wherein said portable terminal is a portable telephone (see fig. 1; abstract; col. 6, line 47-col. 7, line 2).

As per claim 15: the features of claim 15 are similar to the features of claim 1. Hence, claim 15 is rejected on the same ground as claim 1.

As per claim 16: the features of claim 16 are similar to the features of claim 1. Hence, claim 16 is rejected on the same ground as claim 1.

As per claim 17: the features of claim 17 are similar to the features of claim 1. Hence, claim 17 is rejected on the same ground as claim 1.

As per claim 5: Toba discloses a portable terminal having a closed state and an open state (see figs. 1 and 2; col. 6, lines 48-58), said portable terminal comprising:

a first housing having at least a display unit with a screen (see fig. 1, elements 3 and 5; col. 6, line 59-col. 7, line 2);

a second housing having at least an input unit (see fig. 1, elements 4 and 8; col. 6, line 59-col. 7, line 2);

a detecting means for detecting opening of either of said housings (see fig. 1, element 6; col. 6, line 59-col. 7, line 2; col. 4, lines 39-65); and

a control means for controlling said screen of said display unit (see col. 3, lines 38-53; col. 7, line 58-col. 8, line 6; col. 8, lines 28-49);

wherein said first and said second housings are open-ably and close-ably connected together (see figs. 1 and 2; col. 6, lines 48-58), wherein said display unit is visible to the user in said closed state and in said open state of said portable terminal (see fig. 1, element 5 and fig. 2, element 11; col. 6, line 59-col. 7, line 2), wherein said input unit is visible to a user in said open state, and wherein, when said detecting means detects opening of either of said housings, said control means changes said screen of said display unit to an input screen (main display) (see col. 6, line 47-col. 7, line 2; col. 7, line 58-col. 8, line 6; col. col. 8, lines 27-49).

As per claim 7: Toba discloses a portable terminal, wherein said portable terminal is a portable telephone (see fig. 1; abstract; col. 6, line 47-col. 7, line 2).

As per claim 8: Toba discloses a portable terminal having a closed state and an open state (see figs. 1 and 2; col. 6, lines 48-58), said portable terminal comprising:

a first housing having at least a display unit, said display unit being switchable between an input mode and a non-input mode (see fig. 1, element 5 and fig. 2, element 11; col. 6, lines 47-58; col. 8, lines 28-49);

a second housing having at least an input unit (see fig. 1, elements 4 and 8; col. 6, line 59-col. 7, line 2);

a detecting means for detecting opening of either of said housings (see fig. 1, element 6; col. 6, line 59-col. 7, line 2; col. 4, lines 39-65); and

a control means for switching said display unit between said non-input mode and said input mode (see col. 3, lines 38-53; col. 7, line 58-col. 8, line 6; col. 8, lines 28-49). Note: the non-input and input modes displays correspond to the main and supplemental displays of the prior art.

wherein said housings are openably and closably connected together (see figs. 1 and 2), wherein said display unit is visible to a user in said closed state of said portable terminal (see fig. 2, element 11), and wherein when said detecting means detects opening of either of said housings (col. 7, lines 16-30), said control means switches said display unit from said non-input mode to said input mode (main display mode) (see col. 6, line 47-col. 7, line 2; col. 7, line 58-col. 8, line 6; col. 8, lines 27-49).

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 9, 10, 13, 14 and 18 are rejected under 35 U.S.C. 103(a) as being unpatentable over Toba in view of Matsumoto et al. (Matsumoto) (US 2002/0119768 A1). For examination purpose, claim 13 is considered first.

As per claim 13: Toba discloses a method of displaying an input screen of a display unit of a

portable terminal having housings open-ably and close-ably connected together (see figs. 1 and 2; col. 6, lines 48-58), comprising the steps of:
receiving an electronic mail message (see abstract; col. 3, lines 22-36);
displaying said received electronic mail message on a non-input (external) screen of said display unit (see fig. 2, element 11; col. 3, lines 22-36; col. 7, line 58-col. 8, line 6); and

changing said non-input screen displaying said received electronic mail message to an input screen (see col. 8, lines 27-49). Further more, Toba discloses displaying received electronic mail message when either of said housings is opened from its closed state (see col. 3, lines 38-53). But, Toba does not explicitly teach/disclose about editing the received email/electronic mail message, as claimed by

applicant. However, in a related field of endeavor, Matsumoto teaches about portable terminal (mobile station/telephone (see fig. 1) wherein a user of the mobile station may use a text editing function, such as electronic mail (email) which is provided for the mobile station (see page 1, paragraphs 008-009). Therefore, it would have been obvious for one of ordinary skill in the art at the time the invention was made to modify the teaching of Toba with that of Matsumoto for the advantage of conveying information/message to a party without omission (see page 1, paragraph 008).

As per claim 14: Toba discloses a method, wherein said non-input (external) screen has a guide view informing a user to open either of said housings from said closed state (see fig. 2, element 11; col. 7, line 67-col. 8, line 6).

As per claim 18: the features of claim 18 are similar to the features of claim 9. Hence, claim 18 is rejected on the same ground and motivation as claim 9.

As per claim 9: Toba discloses a portable terminal having a closed state and an open state (see figs. 1 and 2; col. 6, lines 48-58) said portable terminal comprising:

a first housing having at least a display unit, said display unit including a screen changeable between an input screen and a non-input screen (see figs. 1 and 2 and corresponding elements 5 and 11). Note: elements 5 and 11 correspond to the input and non-input display modes/screens (see also abstract; col. 7, line 58-col. 8, line 6; col. 8, lines 27-36).

a second housing having at least an input unit (see fig. 1, elements 4 and 8; col. 6, line 59-col. 7, line 2);

a detecting means for detecting opening of either of said housings see fig. 1, element 6; col. 6, line 59-col. 7, line 2; col. 4, lines 39-65); and

a reception means for receiving an electronic mail message (see abstract; col. 7, line 41-col. 8, line 6); and

a control means for selectively displaying said received electronic mail message on said screen of said display unit (see abstract; col. 7, lines 16-30; col. 7, line 58-col. 8, line 6), and for changing said screen of said display unit (col. 8, lines 27-49);

wherein said housings are openably and closably connected together (see figs. 1 and 2; col. 6, lines 48-58), wherein said display unit is visible to a user in said closed state (see fig. 1, element 5 and fig. 2, element 11; col. 6, line 59-col. 7, line 2), and wherein when said detecting means detects opening of either of said housings (see fig. 1, element 6; col. 6, lines 48-58; col. 7, lines 16-30), said control means changes said non-input screen displaying said received e-mail to said input screen (main screen) (see col. 8, lines 21-49). In summary, the prior art discloses a detection means for detecting

whether the first and second housings are in an open or closed mode and a control for displaying electronic mail/ email message based on the detected mode of display and further a switch for switching the display mode between the two modes. But, Toba does not explicitly teach about editing a received email, as claimed by applicant. However, in a related field of endeavor, Matsumoto teaches about portable terminal (mobile station/telephone (see fig. 1) wherein a user of the mobile station may use a text editing function, such as electronic mail (email) which is provided for the mobile station (see page 1, paragraphs 008-009). Therefore, it would have been obvious for one of ordinary

skill in the art at the time the invention was made to modify the teaching of Toba with that of Matsumoto for the advantage of conveying information/message to a party without omission (see page 1, paragraph 008).

As per claim 10: Toba teaches about a portable terminal, wherein said control means changes said non-input screen displaying said received e-mail to said input screen and displays said received e-mail on said input screen (see abstract; col. 7, line 58-col. 8, line 6; col. 8, lines 27-49).

Claims 3 and 6 are rejected under 35 U.S.C. 103(a) as being unpatentable over Toba as applied to claim 1 above, and further in view of Lenchik et al. (Lenchik) (US 6,658,272 B1).

As per claim 3: but, Toba does not explicitly teach about a portable terminal, according to claim 1, wherein said portable terminal is a personal digital assistant, as claimed by applicant. However, in a related field of endeavor, Lenchik teaches about a self configured portable electronic device, that can be configured as a personal digital assistant (figs 5-. 8; col. 3, lines 13-40) and a cellular telephone (see col. 2, line 2-col. 3, line 12). Therefore, it would have been obvious for one of ordinary skill in the art at the time the invention was made to modify the teaching of Toba with that of Lenchik (configuring portable terminal into PDA) for the advantage of using large display the PDA provides (see col. 1, lines 10-24).

As per claim 6: but, Toba does not explicitly teach about a portable terminal, according to claim 1, wherein said portable terminal is a personal digital assistant, as claimed by applicant. However, in a related field of endeavor, Lenchik teaches about a self

configured portable electronic device, that can be configured as a personal digital assistant (figs 5-. 8; col. 3, lines 13-40) and a cellular telephone (see col. 2, line 2-col. 3, line 12). The motivation same as provided in the rejection of claim 3.

Response to Arguments

Applicant's arguments filed on 11/25/05 have been fully considered but they are not persuasive. Applicant's arguments and examiner's respective responses are shown below in an indexed fashion.

Argument I: with regard to claims 1, 5, 8 and 11, applicant argues by saying Toba fails to show or suggest switching the non-input screed visible in the portable terminal's closed state to the input screen screed visible in the portable terminal's open state.

Response I: Examiner respectfully disagrees with the argument. In that, Toba's reference provides a mobile terminal with a non-input (closed state) screens and input (open state screen) comprised of a Hall element, which carries out switching operation based on a magnet arranged on a corresponding position of the housing (see col. 7, lines 16-30). Applicant further attempts to support the argument with exemplary features that were not claimed, and therefore could not be considered. Hence, the argument is found not to be persuasive.

Argument II: With regard to claims mentioned above, particularly claim 1, applicant still argues by saying, Toba simply teaches that a non-input screen shown on an external display in the mobile communication terminal's closed state is shown on the internal or

main display unit when the mobile communication terminal is opened. Thus Toba fails to teach or suggest the limitation stating that “when said detecting means detects opening of either of said housings, said control means changes said screen of said display unit to an input screen.”

Response II: examiner respectfully disagrees with the argument. Toba’s reference (see fig. 3, elements 6 and 21), includes a detecting means and a control means for switching a display screen from a closed state to an open state (see col. 8, lines 27-36). The argument, therefore, is moot.

Argument III: with regard to claims 9, 10, 13 and 14, applicant argues by saying that neither Toba nor Matsumoto, either individually or in combination, suggest to someone skilled in the art switching a screen from a non-input mode to an input mode when the user opens the previously closed portable terminal.

Response III: examiner respectfully disagrees with the argument. In that Toba, as discussed above, teaches about changing a display screen from a non-input (closed mode) to an input screen (open mode) with the help of a detector and a controller. Furthermore, Toba also teaches that the housing/s of the terminal is/are open-able by the user, while advantageously allowing the user to confirm a received message in the closed state (see col. 1, lines 28-34; col. 19, lines 41-53). Matsumoto is brought to the combination for providing/teaching about editing a received mail (e-mail) message. Applicant’s argument about Matsumoto, not teaching about switching a display screen mode, is a misplaced one. This feature is, as discussed in the body of the rejection of the claims in question, by Toba. And Toba, discloses a display screen that is switch-

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able from non-input to an input mode with the help of a detection an control devices, as discussed elsewhere in the above responses. Hence, the argument is found to be not persuasive.

Conclusion

THIS ACTION IS MADE FINAL. Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Meless N. Zewdu whose telephone number is (571) 272-7873. The examiner can normally be reached on 8:30 am to 5:00 pm..

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, William Trost can be reached on (571) 272-7872. The fax phone number for the organization where this application or proceeding is assigned is 571-272-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Any inquiry of a general nature or relating to the status of this application or proceedings should be directed to the receptionist whose telephone number is (571) 272 2600.

Meless zewdu

7.2

Examiner

30 January 2006.


WILLIAM TROST
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2600